# wilderness recommendation

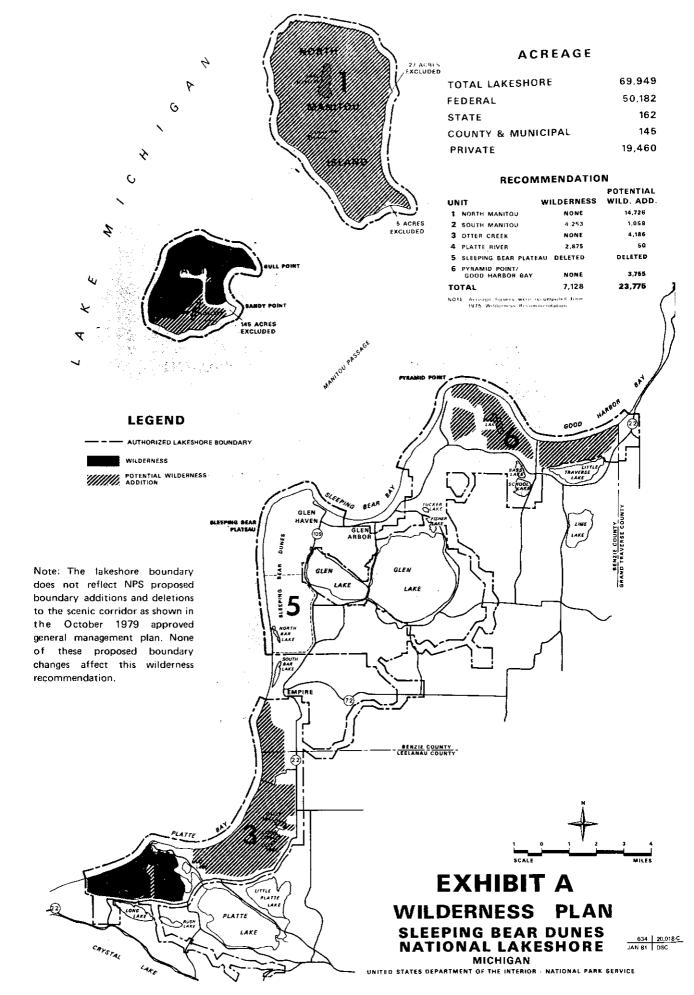


NATIONAL LAKESHORE / MICHIGAN

### RECOMMENDATION

IT IS RECOMMENDED THAT 7,128 ACRES OF FEDERAL LAND WITHIN SLEEPING BEAR DUNES NATIONAL LAKESHORE BE DESIGNATED AS WILDERNESS BY AN ACT OF CONGRESS, AND THAT NONFEDERAL LAND TOTALING 23,775 ACRES (WHICH IS CURRENTLY BEING ACQUIRED) OR FEDERAL LANDS THAT HAVE NONFEDERAL INTERESTS (RETENTION LANDS AND COUNTY RIGHTS-OF-WAY) BE DESIGNATED AS POTENTIAL WILDERNESS ADDITIONS.

THIS RECOMMENDATION IS BASED ON THE RESOURCE INVENTORY AND ANALYSIS AND PUBLIC PARTICIPATION DURING PREPARATION OF THE 1975 WILDERNESS STUDY AND THE 1979 GENERAL MANAGEMENT PLAN.



#### NORTH MANITOU ISLAND (UNIT 1)

The 1975 wilderness recommendation proposed that 52 acres of North Manitou Island be excluded from potential wilderness. use and management facilities for visitor public docking orientation and a group campground were proposed. As discussed in the general management plan approved in October 1979, the island--its inaccessibility, character of lack and relatively large size (14,753 acres) Essential aspects of the visitor experience are a high emphasized. degree of solitude, a feeling of self reliance, and a sense of The GMP determined that 27 acres should be excluded wilderness, and that the area would be sufficient for a docking facility, limited orientation, and interpretive aids. A dock and ranger station is also proposed on the southern part of the island, while the rest of the island (14,726 acres) is recommended as potential wilderness. A historic cemetery is located on the eastern shore of the island, and access to the cemetery will continue to be provided. The island will qualify as wilderness if the 30 miles of county roads and the lands that are now being condemned are acquired by the federal government and other nonconforming uses are terminated.

## SOUTH MANITOU ISLAND (UNIT 2)

South Manitou Island is 5,478 acres in size, of which all but 22 acres were proposed in 1975 for potential wilderness. At that time the 22-acre exclusion was proposed to accommodate public use and management facilities necessary for visitor docking and orientation. However, during the GMP process it was determined that visitors should arrive on the island and experience what island life was like as they moved through fallow farmlands and eventually reached the undeveloped dune formations and record-sized trees. provide this sense of discovery and feeling of solitude, a public transportation system using horse-drawn vehicles and the provision of historic sites were proposed. Therefore, 145 acres of wilderness were deleted for the public transportation corridor, the village, adjacent farmlands, and the cemetery. Six parcels of land, totaling 58.33 acres that do not qualify for wilderness at this time, are recommended as potential wilderness. One parcel (36.2 acres) is federally owned, but the previous owner has retention rights for continuing use of the land until 1981. When the retention rights expire, this parcel will qualify for wilderness designation. remaining five parcels (22.13 acres) are currently being acquired through condemnation procedures. When these lands federally owned and incompatible uses are terminated, they will qualify for wilderness. An additional 1,000 acres, which include 3 miles of county roads, have been deleted from wilderness and recommended for potential wilderness to allow for access to the above described lands and to consolidate other fragmented lands. When the six parcels of land become federally owned and if the county roads are turned over to the federal government, they will become wilderness. Therefore, 1,058 acres are recommended for potential wilderness, and 4,253 acres of South Manitou Island are recommended for wilderness.

## OTTER CREEK (UNIT 3)

The 1975 wilderness recommendation for Otter Creek proposed 6,150 acres for potential wilderness addition. An outstanding opportunity exists for visitor use and interpretation because of the many bluffs, dunes, glacial drainage channels, lakes, and wetlands. Due to the proposed addition of visitor facilities and the retention of agricultural/scenic lands as presented in the GMP, the size of the Otter Creek unit has been reduced to 4,186 acres.

This unit is recommended as potential wilderness for the following reasons. There are 9 miles of county roads that are still in county ownership. Currently, 135.03 acres are owned by the federal government, but the previous owners still ocupy or use the land. A total of 499.20 acres are currently being acquired through condemnation procedures. These lands are scattered throughout Otter Creek, and access roads to them have dissected the unit into smaller fragmented areas. If the county roads are turned over to the federal government, and nonconforming uses are terminated, 4,186 acres will qualify for wilderness designation.

## PLATTE RIVER (UNIT 4)

The Platte River area was originally recommended as potential wilderness because of the area's resources, lack of development, and public response that was heavily in favor of wilderness designation. Since that time the public's sentiment and the area's character have not changed. There is a 1.5-mile county road that provides access to a 5-acre parcel that is federally owned, but the previous owner has retention rights until 2005. Approximately 50 acres are recommended for potential wilderness, while 2,875 acres are recommended for wilderness. The 50 acres of land and the county road will be designated as wilderness, when the retention rights have expired and if the county road is turned over to the federal government.

## SLEEPING BEAR PLATEAU (UNIT 5)

The 2,600-acre Sleeping Bear Plateau was recommended in 1975 as potential wilderness. However, it is no longer recommended for

potential wilderness because vehicular use on the scenic drive is a traditional activity that is integral to the visitor's appreciation of the lakeshore. The area south of Stocking Scenic Drive was removed from consideration because of its small size, private lands, and county roads. Therefore, the Sleeping Bear Plateau will not be considered for wilderness or potential wilderness.

## PYRAMID POINT/GOOD BAY HARBOR (UNIT 6)

In 1975, public response was heavily in favor of wilderness designation for the Pyramid Point/Good Harbor Bay. At that time, 3,800 acres were recommended for potential wilderness due to the high number of nonfederal lands and incompatible uses. According to the GMP, the unit's scenic, undisturbed embayment with wide sandy beaches, dunes, lakes, and swamps encourage year-round activities such as hiking and nature study that do not require major developments. Unit 6 does not qualify for wilderness; however, 3,755 acres are recommended for potential wilderness due to the 4 miles of county roads and the number of retention and condemnation lands. Since a historic district encroaches on this unit, 120 acres of land have been deleted from wilderness designation. parcels (323.02 acres) of federal land are still occupied or used by the previous owners, but eventually the retention rights will An additional 74.33 acres or three parcels are under condemnation proceedings. These lands are scattered throughout the unit, resulting in a noncontiguous area divided by access roads and incompatible uses. Pyramid Point/Good Harbor Bay will qualify for wilderness designation when all retention rights have expired, nonfederal lands have been acquired, if county roads are turned over to the federal government, and nonconforming uses are terminated.

#### SUMMATION

Land suitable for addition to the National Wilderness Preservation System totals 7,128 acres. An additional 23,775 acres are proposed as potential wilderness additions. These potential wilderness lands will qualify for wilderness designation if and when they become federal lands and any nonconforming uses on the land are terminated.

Russell Dickenson

Director, National Park Service

Public Law 97-361 97th Congress

#### An Act

Oct. 22, 1982 [H.R. 3787] To amend sections 10 and 11 of the Act of October 21, 1970 (Public Law 91-479; 16 U.S.C. 460x), entitled "An Act to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes".

Sleeping Bear Dunes National Lakeshore, Mich. 16 USC 460x-9. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Act entitled "An Act to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes", approved October 21, 1970 (16 U.S.C. 460x-x14), is amended by striking out subsection (b) and inserting in lieu thereof the following new subsections:

"(b) Any person who is-

"(1) an owner of improved property described in section 11(a)(2) which is situated within the area designated for inclusion in the lakeshore on the date of its acquisition by the

Secretary; or

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"(2) an occupier of improved property described in section 11(a)(2) which is situated within the area designated for inclusion in the lakeshore on the date of its acquisition by the Secretary, in situations where the fee ownership of such improved property has been heretofore acquired by the United States (whether by donation, purchase, condemnation, exchange or otherwise);

may retain, for a term not to exceed twenty-five years from January 1, 1973, or for a term ending on the death of such owner or occupier, the right of use or occupancy of such property for any residential purpose which is not incompatible with the purposes of this Act or which does not impair the usefulness and attractiveness of the area designated for inclusion. Such owner or occupier must notify the Secretary of any intention to exercise such option within 60 days after receipt of the notice referred to in section 11(c)(3). In situations where the United States has not heretofore acquired fee title to the improved property, the Secretary shall pay to the owner the value of the property on the date of such acquisition, less the value on such date of the right retained by the owner. In situations where the United States has heretofore acquired fee title to the improved property, the occupier may notify the Secretary that such occupier elects to retain continued use and occupancy of such property pursuant to this section, in which event the occupier shall pay to the Secretary the value of the additional right retained, which value shall be based upon the value of the property at the time of its acquisition by the Secretary.

"(c) Any deed or other instrument used to transfer title to property, with respect to which a right of use and occupancy is retained under this section, and any instrument evidencing any right of use and occupancy retained by any occupier under this section, shall provide that such property shall not be used for any purpose which is incompatible with purposes of this Act, or which impairs the usefulness and attractiveness of such area, and if it should be so

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on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives of any action taken under this subparagraph.

"(f)(1) The Secretary shall enter into discussions with appropriate local government officials to develop mutually agreeable zoning restrictions for the protection of scenic resources with respect to the lands described in subsection (c)(1).

"(2) The Secretary shall enter into discussions with appropriate State and local officials responsible for the administration of the Goemaere-Anderson Wetland Protection Act (Michigan, P.A. 203, 1979) to ensure the protection of natural resources with respect to the lands described in subsection (c)(2).

"(g) If the owner of the area designated as "The Kettle' in the General Management Plan dated October 1, 1979, and comprising 240 acres, agrees to donate fee title or a scenic easement to, or other less than fee interest in, such area, the lands in such area may be included as a part of the lakeshore upon publication in the Federal Register by the Secretary of a revised map of the lakeshore which includes such lands.

"(h) The Secretary may, upon request in writing by any owner or occupier of lands in the lakeshore, provide services, such as road maintenance, subject to reimbursement.".

SEC. 4. Section 15 of the Act amended by the first three sections of this Act is amended by striking out "\$57,753,000" and inserting in lieu thereof "\$66,153,000".

SEC. 5. The Act amended by the first four sections of this Act is further amended by adding at the end the following new sections: "Sec. 16. In accordance with section 3(c) of the Wilderness Act (78 Stat. 890, 892; 16 U.S.C. 1132(c)), the President shall, no later than June 1, 1983, advise the United States Senate and House of Representatives of his recommendations with respect to the suitability or nonsuitability as wilderness of any area within the lakeshore. Subject to existing private rights, the areas described in the report prepared by the National Park Service entitled 'Wilderness Recommendation; Sleeping Bear Dunes National Lakeshore' dated January, 1981, and recommended for wilderness (approximately 7,128 acres) and for potential wilderness additions (approximately 23,775 acres) shall, until Congress determines otherwise, be administered by the Secretary so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.".

SEC. 6. No authority under this Act or any amendment made by this Act to enter into contracts or to make payments shall be effective except to the extent and in such amounts as provided in advance in appropriations Acts.

The Kettle, revised map, publication in Federal Register.

16 USC 460x-14.

Presidential recommendations to Congress. 16 USC 460x-15.

Administration.